

Consultation Feedback - Draft Equality Objectives

July 2021

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Executive Summary

Torbay Council's draft Equality Objectives were published for consultation on 14 June 2021. The consultation period ran for six weeks until 25 July 2021.

The consultation sought to determine views on the proposed Equality Objectives for the organisation which all local authorities are required to publish every four years in order to meet requirements under the Public Sector Equality Duty.

The draft Equality Objectives were made public on our website's consultation pages and promoted to Torbay Council members and staff, the Torbay Racism Review Panel, local organisations which support people with protected characteristics and the public via social media and our One Torbay newsletter. Feedback was invited to be sent to the engagement@torbay.gov.uk

Fourteen emails were received in response to the consultation. Social media posts reached 7032 accounts and prompted 24 comments.

Feedback Themes

The main themes raised in the feedback received for this consultation are:

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

Introduction

Background

The Public Sector Equality Duty, which came into force in April 2011, places a requirement on all public bodies to publish one or more objective(s) that they think they should achieve in order to meet the General Duty. The General Duty requires us to:

- Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it, and
- Foster good relations between people who share a relevant protected characteristic and people who do not share it.

Protected characteristics under the Equality Duty are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

We are required to publish our objectives every four years, with our current objectives running until March 2020. Proportionality is a key principle underpinning the Public Sector Equality Duty and we should take a proportionate approach to setting equality objectives.

The Guidance from the Equality and Human Rights Commission says that our equality objectives should be part of our business plan and as supporting delivery of it. We are more likely to achieve the desired outcomes if our objectives are seen as an integral part of how we perform. In Torbay's case, the equality objectives are included within our Policy Framework as part of the Community and Corporate Plan.

As we move to refresh our Objectives, consideration needs to be given to our current position with a new Performance and Risk Strategy in place, business plans being prepared across the authority and the Torbay Racism Review underway.

The Guidance explains that, in order to inform the development of our objectives, we should have a clear understanding of the needs of our employees and service users and the issues they face related to their protected characteristics.

In drafting Objectives for Torbay Council research was carried out on the Equality Objectives of other local authorities and via equality leads at authorities including Devon County Council, Plymouth City Council, and Devon Clinical Commissioning Group. Data and key plans and strategies such as the Community and Corporate Plan, Joint Strategic Needs Assessment and Community Engagement and Empowerment Strategy, were reviewed to ensure consistency with the priorities of the organisation and identify equality challenges.

Three objectives were developed for Torbay, including a specific one to reflect the fact that the Torbay Racism Review is a local priority and implementing its recommendations is therefore important. In addition, it was recognised that our previous objective of supporting the diverse needs of our workforce was still as relevant and important as before.

The following draft Equality Objectives were consulted on:

1. Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.
 - Ensure all relevant groups are included in consultations.
 - Improve the accessibility of our events, meetings, information and communications.
 - Strengthen our relationship with the community and encourage participation.
2. Reduce inequalities so Torbay and its residents thrive.
 - Delivering on our Community and Corporate Plan ambition we will work to:
 - Ensure that all children are given the best start in life and families are supported.
 - Tackle lifestyle and economic issues which lead to inequality and poor health.
 - Ensure that older people age well and are physically, mentally and socially active.
3. Consider and if approved implement the recommendations from the Torbay Racism Review Panel.
 - Maintain a legacy of the review.
 - Strengthen engagement networks.
4. Support the diverse needs of our workforce.

Our staff are one of our biggest assets and our employees come from a wide range of backgrounds with a variety of skills and knowledge. We are committed to supporting our staff and enabling them to provide the best possible service to our customers.

- Demonstrating our Core Values, we will always be approachable, calm and respectful.
- Create an environment where we act professionally and treat everyone with respect.
- Ensure that policies and initiatives are in place so our staff can feel safe at work and carry out their duties without feeling bullied or discriminated against.

Consultation

The draft Equality Objectives were publicised on the Council's consultation web pages between 14 June and 25 July 2021. Members of the public were notified of the consultation through social media posts on Facebook and Twitter and via the One Torbay Newsletter.

Feedback was invited from organisations operating locally to support people with protected characteristics including: Ageing Well Torbay, Age UK, Disability Support Torbay/Living Options, Intercom Trust, Play Torbay and Churches Together in Devon.

Members were briefed about the consultation and the Torbay Racism Review Panel were asked to review the four proposed objectives and provide comments at the request of the Overview and Scrutiny Co-ordinator and Vice-Chairman (rather than the Overview and Scrutiny Board as they felt that the Panel were best placed to give their views in light of its work).

SLT were also briefed, and all staff notified about the consultation via staff news. The Equality Objectives were also discussed as part of the Managers' Forum and their responses are included in the tables of comments in this report.

Consultation Responses

In total, 14 emails were received in response to the consultation from members of the public, organisations, members and staff.

The Chair of the Torbay Racism Review responded that the outcomes and recommendations of the Review should be implemented and included within the Equalities Objectives and that the objectives to be reviewed each year.

There were five main themes to the feedback received about the draft Equality Objectives. A selection of comments from emailed responses, Managers' Forum and social media engagement are shown under the category headings in the following tables.

- The need to increase awareness of equality requirements and the objectives amongst staff
- The need for appropriate monitoring of the implementation of the objectives
- More could be done to support those with protected characteristics
- There are further opportunities to build equality considerations into services
- Disagreement with the focus on those with protected characteristics

The need to increase awareness of equality requirements and the objectives amongst staff

“...officers have said that they have no idea who they need to speak to about whether they need to undertake an Equalities Impact Assessment for a decision or who to talk to for advice generally on what the requirements are. I think there seems to be a gap in the information available to staff and what they need to do to ensure we are documenting our decisions correctly.

I agree with the proposed objectives but I think we need to do more to inform staff and that this is something that should be included in the objectives because if staff are ill-informed then we won't achieve the objectives.”

Addition to draft objective 4: “Support staff to continue to improve their cultural competence and confidence to improve workforce inclusivity and engage with our diverse population and communities.”

“Need to know a bit more of the content of the consultation before we can comment fully.”

“Agree with objectives, but staff have a lack of awareness of them.”

“How can we ensure staff know how to make their communications accessible on all channels? Can we have some mandatory training for all staff on this?”

“Support / information for officers to ensure there remains a focus on these. That's it's just not a one off.”

“Some of the group unaware of the racism review outcomes and process / COVID impact”

“Expand on what we mean by equality and diversity - a very wide area - race, elderly, young, disadvantaged, people with disabilities etc - wide implication for the whole Council”

“The suggestions appear generic and inclusive but feel the size of this task requires more discussion to fully understand and engage with it”

The need for appropriate monitoring of the implementation of the objectives

“Firstly, thank you to the council for pursuing this incredibly important review into fair practices and treatment of those of “protected characteristics”. The proposals appear entirely positive. What are the proposals for reviewing implementation and effectiveness of these objectives? Who is “marking your homework”? It feels as though these objectives are on the woolly side - what are the KPIs for evaluating success? What statistics underline past failings on which improvement can be gauged?”

“The principles seem to cover what would be expected but it is how it is intended that they are to be implemented would be the question and measured and reviewed”

“How are the objectives going to be monitored to ensure that we are achieving them as an Authority?”

“what actions do we take forward and how to monitor”

“This is an excellent start. Interested to know how you will be evaluating progress and who is “marking your homework””

More could be done to support those with protected characteristics

“Whilst there are recently highlighted causes for concern which receive regular media coverage there are still issues facing people who have disabilities whose need within the wider environment of Torbay are not being addressed. Whilst I appreciate your intention may be to focus on attitudes and policies within the Council’s sphere of operation, I feel much could be done both within departments that are outward facing as well as the benefit that the Council could be to the wider community.”

“...I have witnessed how when several groups such as those who have caught the attention of the media believe that the only equal opportunities matters worth discussing at such meetings are those that affect and address their needs.”

“...I mentioned “outward facing Council departments, for example the planning department. As an example, permission was granted for a hospitality company to utilise outside space by installing decking; it had not occurred to either the applicant or the planning officer who approved the scheme that with the only access to this decking was by a series of steps would thus prevent access by a wheelchair user.

Councils have responsibility too for and locating of street furniture which is sometimes done in such a way that it presents a hazard to blind or disabled people. A blind eye is turned to pavement parking by the Council, yet this discriminates against blind, wheelchair users and people pushing prams forcing them into the road in order to get past the obstacle.

There is a rapidly growing trend in the use of both mobility scooters plus electric scooters and the Council are not addressing the control of their use on public pavements and spaces. These issues, although very real to those being disadvantaged have in recent times been ignored whilst it is perceived by many that the slightest issues raised by those of a varied sexual orientation or of colour receive immediate responses.

I hope your review not only addresses the problems of accessibility etc experienced by disabled people within Torbay at large but actually follows through with the appropriate action. To pay too much attention to those aspects of discrimination that have grabbed media attention will only serve to alienate those not served by the Councils endeavours.”

Re draft objective 1: Ensure a wide range of voices are reached and heard in decision making and designing and delivering services.

- Ensure all relevant groups are included in consultations “(I would rather this said “Support all relevant groups...” as I think there needs to be recognition that some groups will need expenses / costs covered in order to be included)”
- Improve the accessibility of our events, meetings, information and communications
- Strengthen our relationship with the community and encourage participation. “(I would rather this said “relationships with our communities” to reflect the diverse communities in your area)”

“I agree with your statements on equality. What is really important is to ensure when you consult you go to different groups for feedback, too often, for speed you go to the same groups who are not representative of the majority. You could use volunteers to get more diverse feedback?”

“In-house / Council groups re protected characteristics to support individuals / what support does the Council offer Re recruitment of bame, older people, lgbtqi +?”

“Is disability included in these statements?”

“Racism is important, where are other protected characteristics - ? Add in inequalities review panel ? develop panel /subpanels”

“Would an officer heading up the Equality Objectives be useful to ensure an organisational direction is maintained (much like we have with climate change).”

There are further opportunities to build equality considerations into services

“...Whilst the objectives reference consultation in decision making and designing services they do not cover what we will do to ensure this is followed through into the contracts we put in place with external suppliers.”

“...it is the responsibility of those putting the external provision in place to ensure equality considerations are appropriately addressed within their requirements. Inclusion within the equality objectives is essential to raising staff awareness of their responsibilities in relation to external contracting arrangements.”

“...All contracts and contractors must have an equality policy and act too for the non discrimination of the protected characteristics and wider communities that may not be specifically covered also.”

“...A form of words cut and pasted from several other local authorities Equality objectives as an example could possibly be at its simplest. The council has a responsibility to ensure that individuals, voluntary organisations, firms and institutions acting on behalf of or as agents of the council do not practice unlawful acts of discrimination.

I would probably go a bit further in the words to state they must have the relevant policies and actively discourage discrimination, themselves. A subcontractor could do as much damage as the main contractor to our reputation should they be discriminating on our behalf and with our taxpayers monies...”

Disagreement with the focus on those with protected characteristics

"I would disagree to these proposals for Torbay. Can we have an English Riviera proud month instead, with dancing, flags and media, celebrating everyone else in Torbay and the joy of living in such a wonderful place. Bring back the classic palm tree icon from the 80s. Why do LGBT+ have to try and override events with their way of thinking?"

"sounds a good way to waste government funding again"

"Pity Councils can't review their main line services and put more effort into them than wasting time, money, etc on other services which do not affect the whole community."

"Equality between Torquay, Paignton and Brixham you mean? We ALL pay the same Council Tax, let's ALL have a fair share"

"Pretty straight forwards, just treat everyone the same."

"How much?"

General

"I think it's great that Torbay Council is doing this and adopting new policies etc. There are way too many hate crimes and bigots in Torbay - thank you for working towards more inclusive thinking in the Bay!"

"Hmmm.... I'm always curious when you talk about reducing inequality as it risks you engaging in 'positive discrimination', which is still discrimination and unlawful. Who someone sleeps with or what colour their skin is should be of no concern at all to a council, that's how you treat people fairly."

"Agree with the objectives - easy to understand and straight forward"

Social Media Evaluation

Four social media posts each on Facebook and Twitter reached 7032 accounts and prompted 740 engagements, 24 comments, 20 likes and nine shares. There was much more engagement from Facebook than Twitter regarding this consultation. Torbay Council's Facebook page currently has 9,625 likes and 10,911 followers.

From 14 June to 25 July 2021, the Equality Objectives consultation was featured in the One Torbay residents' e-newsletter three times and a total of 28 of the subscribers clicked through to the consultation webpage. The consultation was also featured in Torbay Council's Staff News several times over the consultation period.

Social Media responses provided more of the negative feedback about the draft Equality Objectives and highlights the need to consider how we can foster good relations between people who share a relevant protected characteristic and people who do not share it, as part of the General Equality Duty for Local Authorities.